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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

YAO, et al.

§

Group Art Unit: 2121

§

Serial Number: 10/039,189

§

Examiner: *To be Assigned*

Filed: 12/31/2001

§

§

Title: "XON/XOFF FLOW CONTROL
FOR COMPUTER NETWORK"

§

Atty. Docket No: 069099.0106

§

BOX MISSING PARTS

Honorable Commissioner for Patents
Washington, D.C. 20231CERTIFICATE OF MAILING VIA EXPRESS MAIL
37 C.F.R. 1.10

PURSUANT TO 37 C.F.R. §1.10, I HEREBY CERTIFY THAT I HAVE A REASONABLE BASIS FOR BELIEF THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL, POST OFFICE TO ADDRESSEE, ADDRESSED TO:

HONORABLE COMMISSIONER FOR PATENTS
BOX MISSING PARTS
WASHINGTON, D.C. 20231

ON MARCH 12, 2002.

PAUL N. KATZ

REG. NO. 35,917

DATE OF MAILING: MARCH 12, 2002
EXPRESS MAIL LABEL: EV067266019USRESPONSE TO NOTICE TO FILE MISSING PARTS OF
NON-PROVISIONAL APPLICATION, MAILED FEBRUARY 1, 2002

Dear Sir:

In response to the Notice to File Missing Parts of Non-Provisional Application for the application referenced above, mailed February 1, 2002, Applicants respectfully submit herewith those items listed below. The two-month shortened statutory response time is due April 1, 2002, therefor this Response is considered timely filed.

Enclosed with this response are:

A copy of the Notice to File Missing Parts of Non-Provisional Application;

✓
Fee Transmittal Form, and duplicate copy for fee processing (PTO/SB/17);

Check #770737 in the Small Entity amount of \$435.00 for:

Filing Fee:	\$ 370.00
Surcharge for late filing fee, per 37 C.F.R. 1.16(e):	\$ 65.00
	\$ 435.00

Executed Declaration;

Executed Assignment and Assignment Recordation cover sheet, with duplicate cover sheet for fee processing;

Check #770741 in the amount of \$40.00 for Assignment Recordation fee;

Executed Power of Attorney by Assignee;

Statement of Small Entity Assertion;

Return postcard to acknowledge receipt of these items.

The Commissioner is hereby authorized to debit Baker Botts L.L.P. (*formerly Baker & Botts, L.L.P.*) Deposit Account Number 02-0383, Order Number 069099.0106, for any underpayment of fees, or to credit same with any overpayment of fees, which may arise in association with this filing.

Respectfully submitted,

BAKER BOTTS L.L.P. (023640)

DATE: March 12, 2002

BY: Paul N. Katz
Paul N. Katz
Registration No. 35,917
One Shell Plaza
910 Louisiana Street
Houston, Texas 77002-4995
Telephone: 713-229-1343
Facsimile: 713-229-7743
ATTORNEY FOR APPLICANTS

NOTE: Assignment Recor dation Fee paid by separate check #770741, \$40.00.

PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

MAR 12 2002

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT	(\$)	475.00
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Complete if Known

Application Number	10/039,189
Filing Date	12/31/2001
First Named Inventor	YAO, et al.
Examiner Name	Unassigned
Group Art Unit	2121
Attorney Docket No.	069099.0106 (B6-A)

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number

02-0383

Deposit Account Name

BAKER BOTTS L.L.P. 023640

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	740	201	370 Utility filing fee	370.00
106	330	206	165 Design filing fee	
107	510	207	255 Plant filing fee	
108	740	208	370 Reissue filing fee	
114	160	214	80 Provisional filing fee	

SUBTOTAL (1) (\$ 370.00

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	X	
Claims	-3** =	X	
Multiple Dependent		=	

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee Description
103	18	203	9 Claims in excess of 20
102	84	202	42 Independent claims in excess of 3
104	280	204	140 Multiple dependent claim, if not paid
109	84	209	42 ** Reissue independent claims over original patent
110	18	210	9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0.00

**or number previously paid, if greater. For Reissues, see above

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
105	130	205	65 Surcharge - late filing fee or oath	65.00
127	50	227	25 Surcharge - late provisional filing fee or cover sheet	
139	130	139	130 Non-English specification	
147	2,520	147	2,520 For filing a request for ex parte reexamination	
112	920*	112	920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	
115	110	215	55 Extension for reply within first month	
116	400	216	200 Extension for reply within second month	
117	920	217	460 Extension for reply within third month	
118	1,440	218	720 Extension for reply within fourth month	
128	1,960	228	980 Extension for reply within fifth month	
119	320	219	160 Notice of Appeal	
120	320	220	160 Filing a brief in support of an appeal	
121	280	221	140 Request for oral hearing	
138	1,510	138	1,510 Petition to institute a public use proceeding	
140	110	240	55 Petition to revive - unavoidable	
141	1,280	241	640 Petition to revive - unintentional	
142	1,280	242	640 Utility issue fee (or reissue)	
143	460	243	230 Design issue fee	
144	620	244	310 Plant issue fee	
122	130	122	130 Petitions to the Commissioner	
123	50	123	50 Processing fee under 37 CFR 1.17(q)	
126	180	126	180 Submission of Information Disclosure Stmt	
581	40	581	40 Recording each patent assignment per property (times number of properties)	40.00
146	740	246	370 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370 For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370 Request for Continued Examination (RCE)	
169	900	169	900 Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 105.00

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	PAUL N. KATZ	Registration No. (Attorney/Agent)	35,917	Telephone	713.229.1343
Signature	Paul N. Katz			Date	03/12/2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, 2025 L Street, NW, Washington, DC 20591. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20591.

EXPRESS MAIL:
EV067266019US

NOTE: Assignment Recordation Fee paid by separate check #770741, \$40.00.

MAR 12 2002

DUPLICATE COPY FOR
FEE PROCESSING

PTO/SB/17 (10-01)

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*or number previously paid, if greater; For Reissues, see above

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169	900	169	900	900	Request for expedited examination of a design application	
Other fee (specify) _____						
*Reduced by Basic Filing Fee Paid						SUBTOTAL (3) (\$ 105.00)

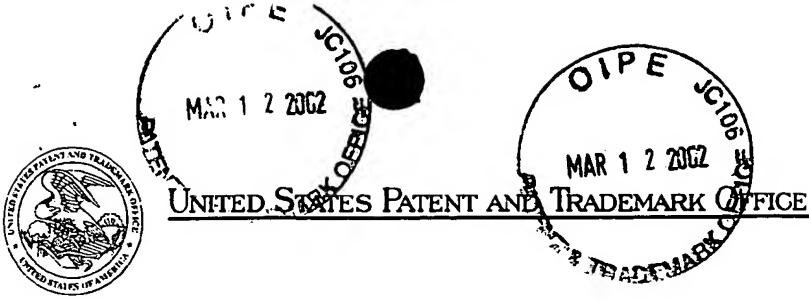
SUBMITTED BY

Name (Print/Type)	PAUL N. KATZ	Registration No. (Attorney/Agent)	35,917	Telephone	713.229.1343
Signature	<i>Paul N. Katz</i>			Date	03/12/2002

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EXPRESS MAIL:
EV067266019US



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/039,189	12/31/2001	Hawkins Yao	069099.0106

023640
BAKER BOTTS, LLP
910 LOUISIANA
HOUSTON, TX 77002-4995

X 3

CONFIRMATION NO. 7165

FORMALITIES LETTER



OC000000007405807

Date Mailed: 02/01/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 870.**

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/18/2002 MBERHE 00000070 10039189

01 FC:201
02 FC:205

370.00 OP
65.00 OP

EXPRESS MAIL:
EV067266019US